

Exhibit 25

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division
In Admiralty**

In the Matter of COEYMAN'S MARINE TOWING, LLC D/B/A CARVER MARINE TOWING as Owner and Operator of MiT Mackenzie Rose, (IMO No. 8968765) her cargo, engines, boilers, tackle, equipment, apparel, and appurtenances, etc., *in rem*, ("M/T MACKENZIE ROSE"), petitioning for Exoneration from or Limitation of Liability in allision with Norfolk and Portsmouth Belt Line Railroad Company Main Line Railroad Bridge (the "Bridge") occurring June 15, 2024 in and about the Elizabeth River, Virginia.

Civil Action No: 2:24-cv-00490

CARVER MARINE'S SEVENTH SUPPLEMENTAL RESPONSE TO THE BELT LINE'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS

Pursuant to Fed. R. Civ. Pro. 26 and 34 and Eastern District of Virginia Local Rule 26, Petitioners Coeymans Marine Towing, LLC d/b/a Carver Marine Towing ("Carver Marine") by counsel, responds to Claimant/Respondent Norfolk and Portsmouth Line Railroad Company's (the "Belt Line") First Request for Production of Documents and Things pursuant to F.R.C.P Rule 34 and Local Civil Rule 26(C) as follows:

1. Produce any and all **documents** listing the officers or crew members assigned to the **Vessel** on or before June 15, 2024.

RESPONSE TO REQUEST NO. 1:

Subject to and without waiving written objections served February 19, 2025, *see* 7.3 Master's Daily Vessel Reporting (TUGS) Mackenzie Rose 06/15/2024 CARVER 000156-000161. *See also:* CARVER 000050; CARVER 000057.

SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 1:

Subject to and without waiving its written objections served on February 19, 2025, see the following documents pertaining to crew members:

CARVER 001345-1350 June 2024 CMT

FOURTH SUPPLEMENTAL RESPONSE TO NO. 1:

Please see also CARVER 000229-232 Work Rest Hours and CARVER 96-110 – JM Timesheets Color (legible copies).

2. Produce the personnel file of each and every officer and crew member assigned to or present aboard the **Vessel or Barge** on June 15, 2024, including, as to each, his or her last known address and his or her last W-2 form.

RESPONSE TO REQUEST NO. 2:

Subject to and without waiving written objections served February 19, 2025, see the following documents pertaining to crew members:

**Jamal - CARVER 000067 - 000077
Miller - CARVER 000043 - 000049
McGrath - CARVER 000078 - 000083
Porter - CARVER 000084 - 000087
Morrissey - CARVER 000088 – 000095**

See also witness statements: CARVER 000229-000232.

SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 2:

Subject to and without waiving its written objections served on February 19, 2025, see the following documents pertaining to crew members:

**Christopher Miller – CARVER 001087-1127
James Morrissey – CARVER 001128-1160
Jarkeis Morrissey – CARVER 001161-1184
Jason McGrath – CARVER 001185-1205
Sharif Porter – CARVER 001206-1334**

3. Produce each and every **document** that indicates or contains the last known address of James Morrissey.

RESPONSE TO REQUEST NO. 3:

Subject to and without waiving written objections served February 19, 2025, on January 10, 2025, Carver provided this information by email to counsel for The Belt Line Railroad.

4. Produce each and every **document** that portrays, describes, or purports to portray or describe, the course, position, and speed of the **Vessel** at any time from June 10 through June 20, 2024.

RESPONSE TO REQUEST NO. 4:

Subject to and without waiving written objections served February 19, 2025, see MACKENZIE ROSE AIS Rose Point Electronic Charting and Navigation Data – June 15th 2024 which will be produced under separate cover.

See also:

Daily Log, Mackenzie Rose 06/12/2024 CARVER 000051

Daily Log, Mackenzie Rose 06/13/2024 CARVER 000052-000053

Daily Log, Mackenzie Rose 06/14/2024 CARVER 000054-000055

Daily Log, Mackenzie Rose 06/15/2024 CARVER 000056-000057

Daily Log, Mackenzie Rose 06/16/2024 CARVER 0001058-000059

Logbook Wednesday, June 12, 2024, CARVER 000066

Logbook Thursday, June 13, 2024, CARVER 000064-000065

Logbook Friday June 14, 2024 CARVER 000060-000061

Logbook Saturday June 15, 2024 CARVER 000062

Logbook Sunday June 16, 2024 CARVER 000063

See also rough deck and engine logs included in CARVER 000233-000243.

SUPPLEMENTAL RESPONSE TO REQUEST NO. 4:

Subject to and without waiving its written objections served on February 19, 2025, see CARVER 00907 - MACKENZIE ROSE Electronic Chart System 1500 LTZ.mp4 produced under separate cover via box.com.

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 4:

Carver withdraws its objection to Request no. 4 per the Court's Order of 4/24/25 [Doc. 50].

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 4:

After a reasonable search of its records, Carver has been unable to locate documents responsive to this Request no. 4. The production is complete.

5. Produce the towing plan, if any, in effect for the **Vessel** at the time of the **Incident**.

RESPONSE TO REQUEST NO. 5:

Subject to and without waiving written objections served February 19, 2025, see:

CARVER 000170 - 000172 Daily Towline 06-12-24(38570864.1)
CARVER 000173 - 175 Daily Towline 06-13-24(38570863.1)
CARVER 000176 - 178 Daily Towline 06-14-24(38570862.1)
CARVER 000179 - 181 Daily Towline 06-15-24(38570861.1)
CARVER 000182 - 184 Daily Towline 06-16-24(38570860.1).

6. Produce any and all data records or transcripts from the **Vessel** on June 15, 2024, for any and all voice recorders whether in electronic, paper, or other form.

RESPONSE TO REQUEST NO. 6:

None.

7. Produce any and all data records or transcripts from the **Vessel** on June 15, 2024, for any and all chart-plotters, whether in electronic, paper, or other form.

RESPONSE TO REQUEST NO. 7:

Subject to and without waiving written objections served February 19, 2025, see MACKENZIE ROSE AIS Rose Point Electronic Charting and Navigation Data – June 15, 2024, which will be produced under separate cover.

SUPPLEMENTAL RESPONSE TO REQUEST NO. 7:

Subject to and without waiving its written objections served on February 19, 2025, see CARVER 00907 - MACKENZIE ROSE Electronic Chart System 1500 LTZ.mp4 produced under separate cover via box.com.

8. Produce any and all data records or transcripts from the **Vessel** on June 15, 2024, for any and all voyage data recorders, whether in electronic, paper, or other form.

RESPONSE TO REQUEST NO. 8:

See Response to Request No. 7.

9. Produce any and all data records or transcripts from the **Vessel** on June 15, 2024, for any and all video recorders, whether in electronic paper, or other form.

RESPONSE TO REQUEST NO. 9:

None.

10. Produce any and all data records or transcripts from the **Vessel** on June 15, 2024, for any and all radars, whether in electronic, paper, or other form.

RESPONSE TO REQUEST NO. 10:

See Response to Request No. 7

11. Produce any and all data records or transcripts from the **Vessel** on June 15, 2024, for any and all Automatic Identification Systems ("AIS"), whether in electronic, paper, or other form.

RESPONSE TO REQUEST NO. 11:

Subject to and without waiving written objections served February 19, 2025, see MACKENZIE ROSE AIS Rose Point Electronic Charting and Navigation Data– June 15th, 2024, which will be produced under separate cover.

12. Produce any and all data records or transcripts from the **Vessel** on June 15, 2024, for any and all Automatic Radar Plotting Aid ("ARP A") devices, whether in electronic, paper, or other form.

RESPONSE TO REQUEST NO. 12:

None.

13. Produce each and every **document** containing any video or data depicting or reflecting the display of any radar, AIS, or ARP A aboard the **Vessel** during its transit of the Elizabeth River on the day of the **Incident**.

RESPONSE TO REQUEST NO. 13:

See Response to Request No. 7.

14. Produce each and every document containing any photograph, video, or audio recording of any communications or activities on the **Barge** on June 15, 2024, including any video or photograph showing the Barge making contact with, or in the vicinity of, the Belt Line's Railroad Bridge.

RESPONSE TO REQUEST NO. 14:

Subject to and without waiving written objections served February 19, 2025, see CARVER 000200; photographs at CARVER 000244 -000248.

THIRD SUPPLEMENTAL RESPONSE TO REQUEST NO. 14:

Subject to and without waiving its written objections, see email communications within the folders labeled Lenny Baldassare communications, Brian Moore communications, and Tug Mackenzie in the Box.com link produced herewith:

<https://clydeco.box.com/s/w6247613eptjqn4fn50dppt9x300duy4>

AMENDED THIRD SUPPLEMENTAL RESPONSE TO REQUEST NO. 14:

Subject to and without waiving its written objections, see email communications within the folders labeled Lenny Baldassare communications, Brian Moore communications, and Tug Mackenzie in the Box.com link produced herewith:

<https://clydeco.box.com/s/w6247613eptjqn4fn50dppt9x300duy4>, produced herewith as CARVER ESI 000001 – CARVER ESI 001867. See also CARVER ESI 002573 produced herewith.

15. Produce each and every document containing any photograph, video, or audio recording of any communications **or** activities on the bridge (or wheelhouse), decks, or line handling stations of **the Vessel** on June 15, 2024, including any video or photograph showing the **Vessel** making contact with, or in the vicinity of, the Belt Line's Railroad Bridge.

RESPONSE TO REQUEST NO. 15:

Subject to and without waiving written objections served February 19, 2025, see Response to Request No 7; see also Response to Request No. 14.

THIRD SUPPLEMENTAL RESPONSE TO REQUEST NO. 15:

Subject to and without waiving its written objections, see email communications within the folders labeled Lenny Baldassare communications, Brian Moore communications, and Tug Mackenzie in the Box.com link produced herewith:

<https://clydeco.box.com/s/w6247613eptjqn4fn50dppt9x300duy4>

AMENDED THIRD SUPPLEMENTAL RESPONSE TO REQUEST NO. 15:

Subject to and without waiving its written objections, see email communications within the folders labeled Lenny Baldassare communications, Brian Moore communications, and Tug Mackenzie in the Box.com link produced herewith:

<https://clydeco.box.com/s/w6247613eptjqn4fn50dppt9x300duy4>, produced herewith as CARVER ESI 000001 – CARVER ESI 001867. See also CARVER ESI 002573 produced herewith.

16. Produce each and every (rough, smooth, official, or unofficial): deck log, wheelhouse bell book, bearing book, gyrocompass log, engine room log, engine bell log, and depth recorder trace for the Vessel during the period of January 1, 2024, through September 15, 2024.

RESPONSE TO REQUEST NO. 16:

Subject to and without waiving written objections served February 19, 2025, see the following logs:

CARVER 000001-000006 - 6-12-24 - 7.3 Masters Daily Vessel Reporting
CARVER 000007-000012 - 6-13-2024 - 7.3 Masters Daily Vessel Reporting
CARVER 000013- 000018 - 6-14-2024 - 7.3 Masters Daily Vessel Reporting
CARVER 000019-000024 - 6-15-2024 - 7.3 Masters Daily Vessel Reporting
CARVER 000025-000026 - Logbook_2024-02-28
CARVER 000027-000029 - Logbook_2024-04-01
CARVER 000030-000032 - Logbook_2024-05-03
CARVER 00051 - Logbook_2024-06-12
CARVER 000052-000053 - Logbook_2024-06-13
CARVER 000054-000055 - Logbook_2024-06-14
CARVER 000056-000057 - Logbook_2024-06-15
CARVER 000058-000059 - Logbook_2024-06-16
CARVER 000060-000061 - Logbook_Friday_June 14_ 2024
CARVER 000062 - Logbook_Friday_June 14_ 2024
CARVER 000063 - Logbook_Sunday_June 16_ 2024
CARVER 000064- 000065 - Logbook_Thursday_June 13_ 2024
CARVER 0000066 - Logbook_Wednesday_June 12_ 2024
CARVER 000118-000119 - 10-1 DAILY ENGINE ROOM LOG- HOURS- 06-13-2024
CARVER 000120-000121 - 10-1 DAILY ENGINE ROOM LOG- HOURS- 06-14-2024
CARVER 000122-000123 - 10-1 DAILY ENGINE ROOM LOG- HOURS- 06-16-2024
CARVER 000124-000125 - 10-1 DAILY ENGINE ROOM LOG- HOURS-06-12-2024
CARVER 000126-000127 - 10-1 DAILY ENGINE ROOM LOG- HOURS-06-15-2024
CARVER 000128-000129 - 10-1 DAILY ENGINE ROOM LOG- READINGS - 06-12-2024
CARVER 000130-000131 - 10-1 DAILY ENGINE ROOM LOG- READINGS - 06-13-2024

CARVER 000132-000133 - 10-1 DAILY ENGINE ROOM LOG- READINGS- 06-14-2024
CARVER 000134-000135 - 10-1 DAILY ENGINE ROOM LOG- READINGS- 06-15-2024
CARVER 000136-000137 - 10-1 Daily Maintenance Procedures 06-12-24
CARVER 000138-000139 - 10-1 Daily Maintenance Procedures 06-13-24
CARVER 000140-000141 - 10-1 Daily Maintenance Procedures 06-14-24
CARVER 000142-000143 - 10-1 Daily Maintenance Procedures 06-15-24
CARVER 000146-000147 - 10-1 DAILY ENGINE ROOM LOG- READINGS- 06-16-2024
CARVER 000156-000157 - 7-3 MASTER'S DAILY VESSEL REPORTING - 06-15-2024
CARVER 000185 - Logbook_2024-06-12
CARVER 000186-000187- Logbook_2024-06-13
CARVER 000188-000189 - Logbook_2024-06-14
CARVER 000190-000191 – Logbook 2024-06-15
CARVER 000192-000193 - Logbook 2024-06-16
CARVER 000233-000243 - Rough Deck & Engine Logs

SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:

Subject to and without waiving its written objection to Interrogatory No. 7 served on March 7, 2025, see CARVER 001732 – CARVER 001928 – 2024 Standard Diary for MacKenzie Rose.

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:

Carver withdraws its objection to Request no. 16 per the Court's Order of 4/24/25 [Doc. 50].

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:

See the following produced herewith:

CARVER TBS HELM CONNECT 001619-1880 MackenzieRose_Maintenance_2024Q1
CARVER TBS HELM CONNECT 001881-2161MackenzieRose_Maintenance_2024Q2
CARVER TBS HELM CONNECT 002162-2413
MackenzieRose_Maintenance_2024Q3_UpToSep20

SIXTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:

See revised Daily Logs produced herewith CARVER TBS HELM CONNECT 002414-002941.

SEVENTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 16:

See 7.3 MASTER'S DAILY VESSEL REPORTING (TUGS) produced herewith as CARVER TBS HELM CONNECT 002994-003728.

17. Produce any and all reports, log entries, or other records memorializing the displacement, drafts, trim, or list of the Vessel or the Barge for the period of June 10 through June 20, 2024.

RESPONSE TO REQUEST NO. 17:

Subject to and without waiving written objections served February 19, 2025, see Response to Request No. 16. See also rough deck and engine logs included in CARVER 000233-000243.

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 17:

Carver withdraws its objection to Request no. 17 per the Court's Order of 4/24/25 [Doc. 50].

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 17:

After a reasonable search of its records, Carver has been unable to locate documents responsive to this Request no. 17. The production is complete.

18. Produce any and all **documents** that describe or indicate how the **Barge** was made up to the **Vessel** at the time of the **Incident**.

RESPONSE TO REQUEST NO. 18:

Subject to and without waiving written objections served February 19, 2025, see Response to Request No. 5.

19. Produce the **Vessel's** power graphs pertaining or relating to engine speed and operation applicable on the day of the **Incident**.

RESPONSE TO REQUEST NO. 19:

Subject to and without waiving written objections served February 19, 2025, see Response to Request No. 16.

20. Produce the **Vessel's** radar logs for the period of June 10-20, 2024.

RESPONSE REQUEST NO. 20:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate documents responsive to Request No. 20 for the Vessel's radar logs for the period of June 10, 2024, through June 15, 2024, the date of the Incident.

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 20:

Carver withdraws its objection to Request no. 20 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any documents responsive to Request no. 20. The Makenzie Rose did not have radar. The production is complete.

21. Produce the Vessel's VHF log and any other radio logs for the period of June 10 – 20, 2024.

RESPONSE TO REQUEST NO. 21:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate and produce documents responsive to Request No. 21 for the period June 10, 2024, through June 15, 2024, the date of the Incident.

SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 21:

Subject to and without waiving its written objections served on February 19, 2025, see:

**CARVER TBS HELM CONNECT 000001-008 7.3 Masters Daily 6.10.24
CARVER TBS HELM CONNECT 000009-016 7.3 Masters Daily 6.11.24
CARVER TBS HELM CONNECT 000017-024 7.3 Masters Daily 6.12.24
CARVER TBS HELM CONNECT 000025-032 7.3 Masters Daily 6.13.24
CARVER TBS HELM CONNECT 000033-040 7.3 Masters Daily 6.14.24
CARVER TBS HELM CONNECT 000041-048 7.3 Masters Daily 6.15.24
CARVER TBS HELM CONNECT 000049-056 7.3 Masters Daily 6.16.24
CARVER TBS HELM CONNECT 000057-064 7.3 Masters Daily 6.17.24
CARVER TBS HELM CONNECT 000065-072 7.3 Masters Daily 6.18.24
CARVER TBS HELM CONNECT 000073-080 7.3 Masters Daily 6.19.24
CARVER TBS HELM CONNECT 000081-088 7.3 Masters Daily 6.20.24**

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 21:

Carver withdraws its objection to Request no. 21 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any additional documents responsive to Request no. 21. The production is complete.

22. Produce the Vessel's telex and facsimile logs for the period of June 10-20, 2024.

RESPONSE TO REQUEST NO. 22:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate and produce documents responsive to Request No. 22 for the period June 10, 2024, through June 15, 2024, the date of the Incident.

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 22:

Carver withdraws its objection to Request no. 22 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any documents responsive to Request no. 22. The production is complete.

23. Produce any and all records from the Vessel's INMARSAT and any other satellite communications system for the period 0001 hours to 2400 hours on the day of the Incident.

RESPONSE TO REQUEST NO. 23:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate and produce documents responsive to Request No. 23.

24. Produce any and all **documents**, including, but not limited to, contracts, invoices, and indemnity agreements, pertaining to the provision of pilotage, including federal, state, and docking or tug pilots, to the **Vessel** on June 15, 2024.

RESPONSE TO REQUEST NO. 24:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate and produce documents responsive to Request No. 24.

25. Produce any and all documents pertaining or relating to or referencing the relevant tides or currents during the course of the Vessel's transit of the Southern Branch of the Elizabeth River on June 15, 2024.

RESPONSE TO REQUEST NO. 25:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate and produce documents responsive to Request No. 25.

SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 25:

Subject to and without waiving its written objections served on February 19, 2025, see CARVER 001699-001714 Fw MACKENZIE ROSE - Document Request; CARVER 001715-001719 RE External Witness Interviews Leonard Baldassare James Morrissey; CARVER 001720-001727 RE MACKENZIE ROSE - Bridge Allision

26. To the extent not produced in response to previous requests, produce any and all voyage records for the Vessel or Barge pertaining to June 15, 2024, including without limitation, all official logs, rough and smooth deck and engine room logs, bell books, navigation charts, navigation work books, compass deviation cards, gyro records, stowage plans, records of draft, aids to mariners, night order books, radiograms sent and received, radio logs, crew and passenger lists, and articles of shipment. This request specifically relates to information and records required to be retained on behalf of the vessel pursuant to the requirements of 46 C.F.R. § 4.05-15.

RESPONSE TO REQUEST NO. 26:

Subject to and without waiving written objections served February 19, 2025, see Responses to Request Nos. 2, 5, 7and 16.

SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 26:

Subject to and without waiving its written objections served on February 19, 2025, see CARVER TBS HELM CONNECT 000089-096 Voyage Plan

FOURTH SUPPLEMENTAL RESPONSE TO NO. 26:

Please see also CARVER 000229-232 Work Rest Hours and CARVER 96-110 – JM Timesheets Color (legible copies).

27. Produce any and all photos or videos relating or pertaining to the Incident, or the aftermath thereof, taken at any time by anyone, including, but not limited to, photographs and videos of damage to the **Vessel**, the **Barge**, or the **Belt Line's Railroad Bridge**.

RESPONSE TO REQUEST NO. 27:

See CARVER 000244 -000248, see also Response to Request No. 7.

28. Produce any and all photos or videos relating or pertaining to the **Belt Line's Railroad Bridge** or its fendering system taken at any time by anyone.

RESPONSE TO REQUEST NO. 28:

See CARVER 000244, see also Response to Request No. 7.

29. Produce any and all **documents** obtained from any government entity, including but not limited to the United States Coast Guard, pertaining to the **Incident**, whether pursuant to any request under the Freedom of Information Act or otherwise.

RESPONSE TO REQUEST NO. 29:

See CARVER 00001-000252 and CARVER 000706-000795.

30. Produce any and all **documents** and records memorializing or evidencing steps taken by anyone to report the **Incident** under 46 CFR 4.05-1.

RESPONSE TO REQUEST NO. 30:

Subject to and without waiving written objections served February 19, 2025, see CARVER 000111- 000117; CARVER 00001-000252 and CARVER 000706-000795. See also response to Interrogatory No. 7.

SIXTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 30:

See Lenny Baldassare's work cell phone messages, CARVER ESI 001868-001884.

SEVENTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 30:

See attachments to Lenny Baldassare's work cell phone messages, CARVER 001885-001887.

31. Produce any and all **documents** you have provided to any government entity, including but not limited to the United States Coast Guard, pertaining to the **Incident**.

RESPONSE TO REQUEST NO. 31:

See CARVER 00001-000252 and CARVER 000706-000795.

32. Produce any and all **documents** pertaining to management and operation of the **Vessel** or **Barge**, including, but not limited to, charters, subcharters, and management and/or operating agreements pertaining to any period inclusive of June 15, 2024.

RESPONSE TO REQUEST NO. 32:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate and produce documents relating to the June 15, 2024, voyage.

33. Produce any and all documents relating to surveys, appraisals, valuations, or refinancing of the M/T MACKENZIE ROSE during the period from January 1, 2019, through December 31, 2024.

RESPONSE TO REQUEST NO. 33:

Subject to and without waiving written objections served February 19, 2025, Carver Marine will endeavor to locate and produce documents responsive to Request No. 33 reflecting the most recent survey, appraisal, valuation, or refinancing taken or conducted prior to the date of the Incident.

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 33:

Carver withdraws its objection to Request no. 33 per the Court's Order of 4/24/25 [Doc. 50]. See Carver's Response to the Belt Line's Interrogatories served 3/25/25, CARVER 000796-000815. See also CARVER 001929-1957 MARY GELLATLY Appraisal. Carver with Carver is not in possession of any documents responsive to Request no. 33. The above production is complete.

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 33:

Upon further consideration, CARVER 001929-001957 previously produced, is also responsive to this request. In addition, Carver supplements its production with two documents inadvertently omitted from the prior production due to a clerical error: CARVER 001958 – CARVER 001985, attached herewith.

34. Produce any and all documents and records not already produced, reflecting or memorializing communications pertaining to the Incident to or from **you**, the Vessel's officers or crewmembers, or any government entity, including but not limited to the United States Coast Guard, on or after June 15, 2024.

RESPONSE TO REQUEST NO. 34:

Subject to and without waiving written objections served February 19, 2025, see CARVER 00001-000252 and CARVER 000706-000795.

SECOND SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:

Subject to and without waiving its written objections served on February 19, 2025, see
CARVER 001699-001714 Fw MACKENZIE ROSE - Document Request
CARVER 001715-001719 RE External Witness Interviews Leonard Baldassare James Morrissey
CARVER 001720-001727 RE MACKENZIE ROSE - Bridge Allision

THIRD SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:

Subject to and without waiving its written objections, see email communications within the folders labeled Lenny Baldassare communications, Brian Moore communications, and Tug Mackenzie in the Box.com link produced herewith:

<https://clydeco.box.com/s/w6247613eptjqn4fn50dppt9x300duv4>

AMENDED THIRD SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:

Subject to and without waiving its written objections, see email communications within the folders labeled Lenny Baldassare communications, Brian Moore communications, and Tug Mackenzie in the Box.com link produced herewith:

<https://clydeco.box.com/s/w6247613eptjqn4fn50dppt9x300duv4>, produced herewith as CARVER ESI 000001 – CARVER ESI 001867. See also CARVER ESI 002573 produced herewith.

FOURTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:

Carver withdraws its objection to Request no. 34 per the Court's Order of 4/24/25 [Doc. 50].

SIXTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:

See Lenny Baldassare's work cell phone messages, CARVER ESI 001868-001884.

SEVENTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 34:

See attachments to Lenny Baldassare's work cell phone messages, CARVER 001885-001887.

Dated: July 11, 2025

Respectfully submitted,
CLYDE & CO US LLP

By:/s/ James H. Rodgers

James H. Rodgers, Esq., *Pro Hac Vice*
CLYDE & CO US LLP
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
Tel No.: (212) 702-6771
Fax No.: (212) 710-3950

Email: James.rodgers@clydeco.us

Harold L. Cohen, Esq. (VSB No.: 98148)
1221 Brickell Avenue, Ste. 1600
Miami, Florida 33131
Email: harold.cohen@clydeco.us

Michael H. Roman, Esq., *Pro Hac Vice*
Dawn L. Johnson, Esq., *Pro Hac Vice Forthcoming*
30 S. Wacker Drive, Ste. 2600
Chicago, IL 60606
Tel: (312) 635-6971
Fax: (312) 635-6950
Email: Michael.roman@clydeco.us
Dawn.johnson@clydeco.us

Rachel Werner, Esq.
Pro Hac Vice
One North Central Avenue, Suite 1030
Phoenix, AZ 85004
Tel: (480) 746-4580
Fax: (480) 746-4556
Email: Rachel.Werner@clydeco.us

***Attorneys For Coeymans Marine Towing, LLC D/B/A
Carver Marine Towing***

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of July 2025, the foregoing was served by electronic mail on the following:

Mark C. Nanavati, Esq. (VSB No.: 38709)
G. Christopher Jones, Jr., Esq. (VSB No.: 82260)
SINNOT, NUCKOLS & LOGAN, P.C.
13811 Village Mill Drive
Midlothian, Virginia 23114
(804) 893-3866 (Nanavati)
(804) 893-3862 (Jones)
(804) 378-2610 (Facsimile)
mnanavati@snllaw.com
cjones@snllaw.com

*Counsel for Evanston Insurance Company a/s/o
Norfolk and Portsmouth Belt Line Railroad Company*

Zachary M. Jett, Esq. (VSB #93285)
BUTLER WEIHMULLER KATZ, et al
11525 North Community House Road
Suite 300
Charlotte, North Carolina 28277
(704) 543-2321 (Telephone)
(704) 543-2324 (Facsimile)

zjett@butler.legal
jhuber@butler.legal

*Counsel for Evanston Insurance Company,
a/s/o Norfolk and Portsmouth Belt Line
Railroad Company*

James L. Chapman, IV, VSB No. 21983
W. Ryan Snow, VSB No. 47423
Mackenzie R. Pensyl VSB No. 100012
CRENSHAW, WARE & MARTIN, P.L.C.
150 W. Main Street, Suite 1923
Norfolk, Virginia 23510
Telephone (757) 623-3000
Facsimile: (757) 623-5735
jchapman@cwm-law.com
wrsnow@cwm-law.com
mpensyl@cwm-law.com
bmorgan@cwm-law.com
*Attorneys for Norfolk and Portsmouth Belt
Line Railroad Company*

Rachel L. Werner
Rachel L. Werner